

to be selected to be voted for, the members of said caucus agreeing to support the same in full, and those so agreed on were all elected, as a result of said caucus, among them the aforesaid Sergeant-at-Arms and Secretary.

2. In the list of those drawing four years, more than four-fifths of them were members of the aforesaid caucus, and they are responsible for the election of said Secretary and Sergeant-at-Arms by voting for them, and it is manifest that said Secretary and Sergeant-at-Arms had a personal interest in a continuation in office of said Senators, thereby insuring their own re-election two years hence.

That the Chair may be relieved of a delicate and responsible duty; therefore, be it

Resolved, That a committee of Senators composed of Paulus, McKamy, Perkins, Morris and Mills, be and is hereby appointed by the Senate with instructions to proceed without delay to investigate the aforesaid specifications, and the whole question of the fairness of the drawing, and report to the Senate at the earliest day practicable their findings upon same, and said committee shall have power to send for persons and papers and to compel the attendance of witnesses and to administer oaths and to exercise all such other powers necessary for the enforcement of their duties and jurisdiction as are by law conferred upon a judge of a court of record of this State.

DOUGLASS, Chairman.

CAIN,  
MILLS,  
MORRIS,  
GRINNAN,  
HARPER,  
HARBISON,  
FAUBION,  
HENDERSON,  
SAVAGE,  
PERKINS.

On motion of Senator Stafford, the Senate, at 2:45 p. m., in accordance with the resolution adopted, went into a Committee of the Whole.

#### IN THE SENATE.

After the adjournment of the Committee of the Whole,

On motion of Senator Wilson, the Senate, at 11 o'clock p. m., adjourned until Tuesday morning, February 10, at 10:30 o'clock.

#### EIGHTEENTH DAY.

Senate Chamber,  
Austin, Texas, Tuesday, Feb. 10, 1903.

Senate met pursuant to adjournment. President Pro Tem. Davidson of DeWitt in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Harper.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Savage.
Faust.	Sebastian.
Grinnan.	Stafford.
Hale.	Willacy.
Harbison.	Wilson.

Absent.

Douglass.	Henderson.
Hanger.	Paulus.

Absent—Excused.

Perkins.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of last Friday,

On motion of Senator Hale, the same was dispensed with.

#### EXCUSED.

On motion of Senator Mills, Senator Douglass was excused from attendance upon the Senate indefinitely on account of sickness.

On motion of Senator Hale, Senator Paulus was excused from attendance upon the Senate for today on account of important business.

On motion of Senator Beaty, Senator Hanger was excused from attendance upon the Senate for today on account of sickness.

On motion of Senator Mills, Senator Henderson was excused for today on account of important business.

#### PETITIONS AND MEMORIALS.

Senator Stafford offered the following memorial, with the request that it be published in the Journal:

Tyler, Texas, February 6, 1903.

To the Honorable Legislature of the State of Texas:

We, the undersigned members of Mollie Moore Davis Chapter, United Daugh-

ters of the Confederacy, beg to submit to your Honorable Body the facts stated herein, and earnestly ask your support and co-operation in securing an appropriation for the enlargement of the Confederate Home in the city of Austin, and more especially for the proper maintenance of a hospital department to the Home.

It has been brought to our attention that there are now twenty-five patients at the Home, with but one attendant for the entire twenty-five. It is not necessary for us to affirm that the attention of one nurse is wholly inadequate to the comfort and relief of this number of sick men, scattered about in different rooms of the building. The inadequacy of the building now occupied by these dear old men is manifest. More than one hundred of them have filed their applications for admittance to the Home, which have been approved and granted, yet they are deprived of the protection of the Home because of the inadequacy of the building.

We beg of you, honor our veterans while they are with us. Are they old? They gave their young manhood to the South. Are their steps growing feeble? Have the bonny locks of youth turned white, and the flashing eyes dim? Pain and humiliation, and (for many) cruel penury, have been their portion, and day by day they are passing away. Let us smooth their pathway while we may.

Respectfully submitted,

MRS. CONE JOHNSON,

President.

MRS. J. O. SEASTRUNK,  
First Vice-President.

MRS. E. S. ROWLAND,  
Second Vice-President.

MRS. W. T. CHERRY,  
Third Vice-President.

MISS MARY DOUGLAS,  
Recording Secretary.

MRS. HATTIE RAGUET,  
Corresponding Secretary.

MRS. FRANK BELL,  
Registrar.

MISS BETTIE SCOTT,  
Treasurer.

MRS. FLORENCE FLEISHEL,  
Historian.

MRS. D. U. BROWNING,  
Custodian.

MRS. JOHN ADAMS,

MRS. JOHN BROWN,

MRS. JOHN T. BONNER,

MRS. CHAS. T. BONNER,

MRS. M. E. BROUGHTON,

MRS. M. H. BANNON,

MRS. E. G. CHILTON,

MRS. RAWLS CHRISTIAN,

MRS. F. A. DURST,

MRS. R. H. DOWNING,

MRS. J. L. DANIEL,  
MRS. F. L. DESHONG,  
MRS. LOU FIELDER,  
MRS. R. E. GOLSON,  
MRS. E. H. GRIFFITH,  
MRS. JAMES HAMBRICK,  
MRS. WILL KILFOYLE,  
MRS. JAMES KILFOYLE,  
MRS. LASSETER,  
MRS. M. A. LONG,  
MRS. R. B. LONG,  
MRS. CLIFF MANSFIELD,  
MRS. OSCAR MCFARLAND,  
MRS. H. B. MARSH,  
MRS. MARY B. PEGUES,  
MRS. W. H. PARKER,  
MRS. J. P. PATTERSON,  
MRS. GORDON RUSSELL,  
MRS. B. K. SELMAN,  
MRS. ELLA D. SMITH,  
MRS. VALENTINE,  
MRS. GEO. WIMBERLY,  
MRS. MATTIE WIGGINS,  
MRS. RICH BROWN,  
MRS. MILTON BROWN,  
MRS. JOHN H. BONNER,  
MRS. FRANK BELL,  
MRS. CLAYTON WOOD,  
MRS. HENRY CRUTCHER, JR.,  
MRS. SAM COX,  
MRS. JOHN DURST,  
MRS. JAMES P. DOUGLAS,  
MISS LUCIA DOUGLAS,  
MRS. S. P. DONNELLY,  
MRS. M. L. EARLE,  
MRS. EUGENE FINLEY,  
MRS. DR. GOODMAN,  
MRS. JAS. T. HARRIS,  
MRS. TOM HUGHEY,  
MISS DORA KILFOYLE,  
MRS. ELBERT LASSETER,  
MRS. DR. O. LOFTIN,  
MRS. JAS. LEGRANDE,  
MRS. J. LIPSTATE,  
MRS. BETTIE DOUGAL,  
MRS. DR. J. F. MOORE, SR.,  
MISS MITTIE MARSH,  
MRS. GEO. R. PHILLIPS,  
MRS. NEWTON PRESTWOOD,  
MRS. BENSON W. ROBERTS,  
MRS. SARAH SWAN,  
MRS. R. W. SMITH,  
MRS. J. P. TAYLOR,  
MRS. ELIZA WEIR,  
MRS. LEON WRIGHT,  
MRS. CLAUDE WARD,  
MRS. SOPHIE H. WALLER,  
Members.

Senator Stafford offered the following letter, and, after it was read, asked that it be published in the Journal:

Flaton, Texas, February 5, 1903,

Senator R. N. Stafford.

SIR: Your name was given to me by my brother, Judge W. T. Burns, as an

fluent member of our State Senate, and as I am one of a State committee appointed by the President of the Texas Division of the United Daughters of the Confederacy to secure an appropriation for a monument in Chickamauga Park, I ask your co-operation, with others, in this matter. We want to place this monument over the graves of our Texans who fell there during the late struggle for constitutional and State rights. I trust you will use your influence to have a bill pass your honorable body during this session making an appropriation becoming the dignity of our proud State and the worthy cause for which it is solicited.

Although many of these soldiers were of the rank and file of the Southern army; nevertheless, they were marvelous in valor, and the patient, uncomplaining heroism with which they bore sacrifice and suffering, half clad, amid cold, heat and hunger, entitles them to more than a passing word of praise from our historians.

We do not feel that we should be termed "stone worshiper" in asking this for (if we get the appropriation for this monument), we will have proper inscriptions prepared and inscribed thereon, which will tell to posterity of the valor of these noble sons of our loved Lone Star State.

Very respectfully,  
MRS. R. O. FAIRES.

By Senator Faulk:

#### MEMORIAL OF TWO HUNDRED LADIES TO THE LEGISLATURE.

Corsicana, Texas, Jan. 28, 1903.

*Hon. J. J. Faulk, Senator; Hon. W. A. Holsey, Representative; Hon. Richard Mays, Representative; and Members of the Twenty-eighth Legislature.*

GENTLEMEN: The undersigned members of the Navarro Chapter, United Daughters of the Confederacy, being citizens of your districts, respectfully ask your earnest support of two bills which are to be presented in the Legislature.

1. One being for the liberal and comfortable support of the Confederate Home.

2. The other being for an appropriation for the proper marking of the places in Chickamauga Park at which the Texas troops fought so bravely.

We feel that both these measures appeal to the very highest patriotic impulses and that your earnest and liberal advocacy of them will meet with the approval of all your Navarro constituents, and such will be duly appreciated by the

undersigned lovers of Texas and the South.

Respectfully submitted,

MRS. FANNIE J. HALBERT,  
President.

MRS. EMMA H. TOWNSEND,  
Recording Secretary.

MRS. LEANIE V. BROWN,

MRS. WILLIAM PANNILL,

MRS. A. C. SLOAN,

Committee.

MRS. KATE P. TALLEY,

MRS. A. F. WOOD,

MRS. J. K. PITMAN,

MRS. A. C. JOHNSON,

MRS. S. W. BOGY,

MRS. HAL PECK,

MRS. J. H. FINCH,

MRS. W. BURDINE,

MRS. ASA WILLIE,

MRS. W. C. KINSOLVING,

MRS. A. B. WALKER,

MRS. W. N. KENORER,

MISS HATTIE KENNER,

MRS. FRANK KERR,

MRS. CHAS. WALTON,

MRS. SAM JOHNSTON,

MRS. S. J. ROGERS,

MRS. S. A. REDDEN,

MRS. A. N. JUSTIN,

MRS. KATE MORRIS,

MRS. C. H. ALLYN,

MRS. A. ANGUS,

MRS. D. R. ADKISSON,

MRS. G. W. BAKER,

MRS. VINA BATES,

MRS. JOE BERRY,

MRS. G. BUTLER,

MRS. E. BURGESS,

MRS. J. BLANDING,

MRS. D. BLACKMON,

MRS. J. BLACKMON,

MRS. W. H. BENTON,

MRS. A. BENTON,

MRS. I. BAUM,

MISS L. BALDAUF,

MRS. F. R. BIRD,

MRS. W. R. BURNS,

MRS. W. BULLOCK,

MRS. J. BONNER,

MRS. E. C. CARTER,

MRS. R. F. COLEMAN,

MRS. E. H. CHURCH,

MRS. L. CARROLL,

MRS. J. CARROLL,

MRS. R. CAMPBELL,

MRS. TOM COBB,

MRS. J. W. CHENEY,

MRS. J. CUNNINGHAM,

MRS. C. W. CHERRY,

MRS. J. S. CALIVENTT,

MRS. L. CERF,

MRS. C. W. CROFT,

MRS. H. CAIDWELL,

MRS. R. A. CROFT,

MRS. L. CARROLL,

MRS. J. CHRISTIAN,

Mrs. F. Y. DOKE,  
 Miss E. DOKE,  
 Mrs. H. DAMORE,  
 Mrs. M. W. DAVID,  
 Mrs. R. O. ELLIOTT,  
 Mrs. R. N. ELLIOTT,  
 Mrs. W. M. ELLIOTT,  
 Mrs. J. W. EDENS,  
 Mrs. N. ELKINS,  
 Mrs. C. L. FEWELL,  
 Mrs. S. M. FROST,  
 Mrs. J. FREEMARD,  
 Mrs. A. FURGERSON,  
 Mrs. C. E. FLUKEN,  
 Mrs. F. FLEMING,  
 Mrs. A. FOX,  
 Mrs. J. FRYAR,  
 Miss FRYAR,  
 Mrs. N. GARRETTY,  
 Mrs. J. S. GIBSON,  
 Miss M. GIBSON,  
 Mrs. J. W. GORDON,  
 Mrs. R. GOODMAN,  
 Mrs. L. GARRITT,  
 Mrs. E. GLOVER,  
 Miss ANNIE HALBERT,  
 Miss MATTIE HARDY,  
 Mrs. RUFUS HARDY,  
 Mrs. M. C. HARDY,  
 Mrs. HORNBEAK,  
 Mrs. B. F. HOUSTON,  
 Mrs. A. HARRIS,  
 Mrs. E. H. HAWKINS,  
 Mrs. HOWETS,  
 Mrs. O. E. HINDEMAN,  
 Mrs. N. HINDEMAN,  
 Mrs. HINDEMAN,  
 Mrs. HARMON,  
 Miss J. HALL,  
 Miss C. JEFLIN,  
 Miss S. W. JOHNSON,  
 Miss W. JOHNSON,  
 Miss H. JOHNSON,  
 Miss E. B. JOHNSON,  
 Miss A. JOHNSON,  
 Mrs. C. W. JESTER,  
 Mrs. GEORGE T. JESTER,  
 Mrs. G. E. JESTER,  
 Mrs. A. N. JUSLIN,  
 Mrs. A. JONES,  
 Mrs. J. JONES,  
 Mrs. M. E. JONES,  
 Mrs. L. N. JENKINS,  
 Mrs. E. JEFFENER,  
 Mrs. JOHNSTON,  
 Mrs. M. E. KERR,  
 Mrs. T. P. KERR,  
 Mrs. F. KERR,  
 Mrs. KENNER,  
 Mrs. KINSOLVING,  
 Mrs. JOEL KERR,  
 Miss N. KEYS,  
 Miss H. KENNER,  
 Mrs. C. KERVIN,  
 Miss J. HENDERSON,  
 Miss L. LEA,  
 Mrs. P. M. LEA,

Miss LONDON,  
 Mrs. W. J. MCKIE,  
 Mrs. T. LENEY,  
 Mrs. C. H. MILLS,  
 Mrs. N. J. MILES,  
 Mrs. E. F. MILLS,  
 Mrs. H. S. MELEAR,  
 Mrs. R. MOLLOY,  
 Mrs. G. MILLER,  
 Miss M. MCLEOD,  
 Mrs. W. H. MATCHETT,  
 Mrs. H. M. MCCREARY,  
 Mrs. L. MCCORMACK,  
 Mrs. E. MOULDER,  
 Mrs. J. MCCLELLAN,  
 Mrs. DR. MCKEY,  
 Mrs. MCDANIEL,  
 Mrs. MCDAVITT,  
 Mrs. C. MATTHEW,  
 Mrs. H. MATHEW,  
 Mrs. NEWBERG,  
 Mrs. N. R. NEBLETT,  
 Mrs. NABOR,  
 Mrs. H. PECK,  
 Mrs. R. PRINCE,  
 Mrs. L. PINKSTON,  
 Mrs. A. V. POLLARD,  
 Mrs. L. PRICE,  
 Mrs. S. RANSOM,  
 Mrs. W. RANSON,  
 Mrs. JOHN RICE,  
 Mrs. D. N. RICE,  
 Mrs. S. M. READ,  
 Mrs. NELSON,  
 Miss TANKERSLEY,  
 Mrs. J. GOODMAN,  
 Mrs. M. LEMAN,  
 Mrs. VAN HOOK,  
 Mrs. B. VAUGHN,  
 Mrs. S. VAN NORT,  
 Mrs. WILSON,  
 Mrs. A. B. WALKER,  
 Mrs. J. GIBB,  
 Mrs. GRANTHAM,  
 Mrs. HORSCH,  
 Mrs. C. BARTH,  
 Mrs. J. CLAYTON,  
 Mrs. A. LOTSPEECH,  
 Mrs. J. M. LOTSPEECH,  
 Mrs. I. M. ROBERTS,  
 Mrs. A. RINGOLDS,  
 Mrs. T. ROBERTS,  
 Mrs. K. ROGERS,  
 Mrs. J. W. SCOTT,  
 Mrs. S. SMITH,  
 Mrs. J. STOUT,  
 Mrs. SUTHERLAND,  
 Mrs. F. STEITHER,  
 Mrs. H. L. SCALES,  
 Mrs. C. A. SAMMON,  
 Mrs. J. C. SAVAGE,  
 Mrs. M. SHADDON,  
 Mrs. SUTTLE,  
 Miss E. TOWNSEND,  
 Mrs. TRIPLETT,  
 Mrs. W. TERRY,  
 Mrs. J. A. THOMAS,

MRS. C. THORNHILL,  
 MRS. A. TEMPLETON,  
 MRS. A. WINKLER,  
 MISS M. WINKLER,  
 MRS. B. WAREING,  
 MRS. A. M. WILSON,  
 MRS. M. J. WILSON,  
 MRS. C. WEST,  
 MRS. P. WOOD,  
 MRS. J. A. WOOD,  
 MRS. A. WITHERSPOON,  
 MRS. F. WITHERSPOON,  
 MRS. J. WHITESELLE,  
 MRS. B. WOOD,  
 Members of Navarro Chapter.

#### INVITATION TO VISIT GALVESTON.

Senator Davidson of Galveston presented the following invitation, which was read:

Galveston, Texas, February 6, 1903.

*To the Honorable Geo. D. Neal, Lieutenant Governor of Texas, Austin, Texas.*

SIR: The Navy Department has ordered a portion of the North Atlantic Squadron to visit Galveston, and the vessels are expected to arrive here on or about the 18th instant.

The people of Galveston desire to extend an invitation to you, and through you to the honorable members of the Senate, to visit the battleships on Saturday, the 21st instant. Arrangements will be made, upon your arrival here on Saturday morning, to convey the party from the wharves to the fleet.

The corner-stone of the seawall will be laid on the morning of Monday, the 23rd instant, at which event your presence is earnestly desired.

An oyster roast will be given in the afternoon, and a promenade concert and dance will be held in the evening of the same day, at the Garten Verein.

Monday being a holiday, it is believed that your attendance can be arranged without interfering with the progress of legislation.

It is our wish that you further extend this invitation to such other persons connected with your department as you may desire.

We remain,

Very respectfully,

LEWIS FISHER,  
 County Judge, Galveston County.  
 WM. T. AUSTIN,  
 President Galveston City Commission.  
 FRANK M. SPENCER,  
 Democratic Executive Committee.  
 CHAS. FOWLER,  
 Deep Water Committee.  
 WALTER GRESHAM,  
 Grade Raising Committee.

R. WAVERLEY SMITH,  
 Chamber of Commerce.  
 B. ADGUE,  
 Pres. Galveston Maritime Association.  
 I. H. KEMPNER,  
 Vice-Pres. Galveston Cotton Exchange.  
 J. H. LANGBEHN,  
 Galveston Business League.

*To the Senate:*

Those who are with us at all times—in our dreams, in our prayers, in our hours of pleasure and sorrow—our friends, the reporters at the capitol, I desire to be included in the invitation of the city of Galveston just read.

DAVIDSON of Galveston.

#### RESOLUTION.

Senator Savage offered the following resolution:

Resolved, That the Senate accept with gratitude and thankfulness the invitation kindly tendered by the citizens of Galveston to visit their city.

The resolution was read second time, and adopted.

#### PETITIONS.

Senator Morris offered the following petitions:

Huntsville, Texas, February 6, 1903.

*To the Honorables A. W. Morris, Hayne Nelms and W. D. Adair, Austin, Texas.*

DEAR SIR: We most earnestly petition you to oppose by all legitimate methods the bill recently introduced by Senator Willacy, which has for its object the amendment of certain articles of our Revised Statutes, relating to local option. This bill is palpably in the interest of the liquor power, and we think its passage would be detrimental to the cause of temperance, morality and local option. It is difficult enough to restrain the aggression of the liquor interests, even with the most drastic and apparently discriminating public statutes; hence we do not believe that any amendment should be adopted which would in any wise tend to impair or destroy our present local option statutes.

Respectfully,

T. F. SIMS,  
 H. F. ADICKES,  
 H. Y. ROBINSON,  
 L. J. JUSTICE,  
 CHAS. A. HOOPER,  
 H. C. PRITCHETT,  
 J. K. ELKINS,  
 S. D. JOHNSON,  
 H. M. WHALING,  
 L. T. MAYS,  
 H. F. ESTILL,

D. P. JENKIN,  
C. B. FARRINGTON,  
R. T. SMITH,  
W. W. ADICKES,  
G. A. WYNNE,  
W. L. HILL,  
W. L. DEAN,  
T. E. HUMPHREYS,  
J. W. THOMASON,  
A. T. RANDOLPH,  
E. L. ANGIER,  
W. E. FOWLER,  
JNO. C. WILLIAMS,  
E. M. SMITHER,  
J. L. PRITCHETT,  
J. H. FITZPATRICK,  
GABE SMITHER,  
W. S. GIBBS,  
W. L. MORSE,  
B. F. BALDWIN,  
G. B. OLIPHINT,  
J. T. JARRARD.

To Hon. A. W. Morris, Senator; Hon. W. B. O'Quinn, Representative; Hon. S. M. Davis, Representative, Austin, Texas.

GENTLEMEN: We, the undersigned active, practicing attorneys of the Polk county bar, after having fully canvassed and considered the propriety and necessity of restoring the civil and criminal jurisdiction to our county court, have concluded that it is to the interests of our county and to litigants as well that the civil and criminal jurisdiction of our county court should be restored. And in addition thereto we would state that on January 30, 1903, there was a public meeting of those members of the bar who reside at Livingston, at which meeting the following practicing attorneys were present: J. Holshousen, E. J. Manry, J. C. Feagin, S. H. German, T. F. Meece, J. L. Manry, D. McCardell, F. Campbell, J. E. Hill, Jr., and P. R. Rowe; and after the meeting was organized a motion was made to the effect that it was the sense of the bar of Polk county that the civil and criminal jurisdiction of our county court should be restored. And after this motion had been discussed by practically all the members present, the same was carried with only one dissenting vote.

Therefore, we most respectfully petition that you introduce and have enacted into a law a bill restoring the civil and criminal jurisdiction to our county court as aforesaid.

Respectfully submitted,

F. CAMPBELL,  
JAMES E. HILL, JR.,  
J. HOLSHOUSEN,  
E. J. MANRY,  
J. E. THOMAS,  
T. F. MEECE,  
J. A. BRAZIL,

J. C. FEAGIN,  
S. H. GERMAN,  
P. R. ROWE,  
J. L. MANRY,  
S. F. HILL,  
JAMES E. HILL,  
DAVIS MCCARDELL.

By Senator Grinnan:

Coleman, Texas, February 6, 1903.

Senator Arch Grinnan.

DEAR SIR: I am instructed by the executive committee of this association to convey to you their feelings in regard to your bill introduced by you in the Senate on the quarantine question, and calling for ninety days open season, in which we can cross cattle to counties north of the line without inspections.

Our association represents over 60,000 cattle in Brown, McCulloch, Concho, Runnels, Callahan and this county, including almost all the high grade herds, large and small, and the members have felt very keenly the harsh and unjust and arbitrary regulations of the law now in force.

Knowing all the time that our cattle were as free from ticks and any contagious disease and better cattle in grade and size than 90 per cent. of the so-called high grade cattle of Northern Texas, we had to sit still and see their cattle sell for \$4.00 to \$5.00 per head more money. They have access all the time for their two-year-old steers to all the great steer ranges of the Northwest, and to the entire corn belt of the United States. We have a small part of the Indian Territory and the cotton seed meal to finish our cattle on, and 75 per cent. of the calves dropped in Texas are dropped below the line.

Cut off from all the cheap range the State and the United States furnish northwest of us, with the oil mills of the State in close combination as to what price we shall pay for feed, the cattle business south of the line has been losing money for the last four years, and cattle today are scarcely salable, while north of the line they are selling freely at prices equal to the best years they have ever had. I see a few days ago where Lug Robertson, of Colorado City, one of the largest owners of cattle above the line, figures on \$24 as about the price they will get for their twos this spring. That is \$7.00 to \$8.00 more than the most sanguine figure on down here, and what is more, I believe he will get it. If we can cross our young steers in winter to the country north of us, then we will be able to sell at two years olds to go to any part of the United States, and our cattle will speak for themselves as

to quality and size when they are alongside of the best the Panhandle produces.

Every man in this district is your servant if we can do anything to assist you, and we feel that this county has suffered this injustice long enough. The passage of this bill of yours, or of some bill with the same principal for its leading points, is absolutely necessary for the successful and profitable following of stock raising in this country and affects every man here, whether he has a cow or not—and nearly all have some cattle—and it is our just right. You have our best wishes for your success, and if we can do anything to assist you please command us.

We remain,

Yours respectfully,

J. P. MORRIS,  
J. E. BOOG-SCOTT,  
WELTON WINN,  
A. T. BROWN,  
H. SACKETT,  
L. LOVE.

By J. RATHMELL, Secretary.

#### FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, February 10, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: I am directed by the House to inform the Senate that the House has passed the following resolutions and bills:

House Concurrent Resolution No. 9, Providing for appointment of a joint committee to visit the Beeville Experiment Station, located at Beeville, Texas, and make report thereon.

Whereas, A committee was appointed by the Twenty-seventh Legislature to visit and report on the Beeville Experiment Station; and

Whereas, Said report was insufficient to said experiment station; and

Whereas, The farmers and citizens of south and southwest Texas are very much interested in the retention and development of said experiment station; and

Whereas, It is an admitted fact that said experiment station has been of material benefit to the farmers and truck growers of south and southwest Texas; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That a joint committee of three be created, two to be appointed by the Speaker of the House and one by the President of the Senate, to visit said experiment station and make report thereon.

#### House Concurrent Resolution No. 10:

Whereas, The national government at Washington has annually made appropriations for continuing the work at Aransas Pass, on the coast of Texas, for the purpose of deepening the water in the channel of said pass; and

Whereas, There now exists an available fund for such purpose of two hundred and fifty thousand dollars (\$250,000), the same lying idle, much to the detriment of the commerce of the State of Texas; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That we do hereby request and urge upon our Representatives in the House and Senate of the United States Congress at Washington, the urgent necessity of the speedy application of the said fund in the prosecution of the work for which said fund was appropriated.

House bill No. 41, A bill to be entitled "An Act to transfer Cass county from the community to the district school system."

House bill No. 102, A bill to be entitled "An Act to aid Brazoria county, Texas, by supplementing the road and bridge fund, by donating and granting to it the State ad valorem and three-fourths of the occupation taxes collected upon property and from persons in said county for a period of two years, and providing for a proper transfer to said fund."

House bill No. 109, A bill to be entitled "An Act to be entitled an act to amend Chapter 170 of the Acts of the Twenty-fifth Legislature, entitled 'An Act to create a judicial district in Harris county, additional to the Eleventh Judicial District therein, to be the Fifty-fifth Judicial District; to establish a court and provide a judge and clerk of said new district, and to regulate the venue of the courts of said respective districts, and the disposition of the business therein, and define the jurisdiction and boundaries and terms thereof,' so as to create an additional district court in Harris county, to be known as the Fifty-ninth Judicial District, and to provide for the organization thereof, and to regulate the conduct and disposition of business therein, and to provide for filling a vacancy in the office of clerk of said courts."

House bill No. 127, A bill to be entitled "An Act to amend Chapter 22 of the General Laws of the State of Texas, passed at the First Called Session of the Twenty-seventh Legislature, amending Section 3, Chapter 75, Laws of the Regular Session of the Twenty-seventh Leg-

islature, being the Grayson county road law."

Respectfully,  
BOB BARKER,  
Chief Clerk, House of Representatives.

#### HOUSE BILLS SIGNED.

The Chair (President Pro Tem. Davidson of DeWitt) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read:

House bill No. 247, "An Act to amend Article 1525, Revised Statutes, fixing the several terms of the criminal district court of Galveston and Harris counties."

House bill No. 21, "An Act to amend Article 351 of the Penal Code of the State of Texas of 1895, relating to the crime of incest."

House bill No. 82, "An Act making an appropriation to pay for publishing the constitutional amendments proposed by the Twenty-seventh Legislature."

House bill No. 205, "An Act to create the Fifty-second Judicial District of the State of Texas, composed of the counties of Coryell, Hamilton and Comanche; to provide for the present district judge of the Forty-second Judicial District until the next general election, and to provide for the appointment of a district attorney for the Fifty-second Judicial District; to amend Section 2, Chapter 51, of the Acts of the Twenty-fifth Legislature, approved April 3, 1897, reorganizing the Forty-second Judicial District of Texas; to amend Section 29, Article 22, Title IV, of the Revised Civil Statutes of 1895, by reorganizing the Twenty-ninth Judicial District; to provide for the appointment of a judge for the Forty-second Judicial District; to fix the time of holding court in all the above named districts; to validate all writs and other process heretofore issued out of the district courts of the said Twenty-ninth and Forty-second Judicial Districts of Texas; to repeal all laws and parts of laws in conflict herewith, and to declare an emergency."

#### HOUSE BILLS READ AND REFERRED.

The Chair had read, and referred the following House bills:

House bill No. 41, A bill to be entitled "An Act to transfer Cass county from the community to the district school system."

Referred to Committee on Education.

House bill No. 127, A bill to be entitled "An Act to amend Chapter 22 of the General Laws of the State of Texas, passed at the First Called Session of the Twenty-seventh Legislature, amending

Section 3, Chapter 75, Laws of the Regular Session of the Twenty-seventh Legislature, being the Grayson county road law."

Referred to Committee on Roads Bridges and Ferries.

House bill No. 102, A bill to be entitled "An Act to aid Brazoria county, Texas by supplementing the road and bridge fund, by donating and granting to it the State ad valorem and three-fourths of the occupation taxes collected upon property and from persons in said county for a period of two years, and providing for a proper transfer to said fund."

Referred to Committee on Roads Bridges and Ferries.

House bill No. 109, A bill to be entitled "An Act to be entitled an act to amend Chapter 170 of the Acts of the Twenty-fifth Legislature, entitled 'An Act to create a judicial district in Harris county additional to the Eleventh Judicial District therein, to be the Fifty-fifth Judicial District; to establish a court and provide a judge and clerk of said new district, and to regulate the venue of the courts of said respective districts, and the disposition of the business therein and define the jurisdiction and boundaries and terms thereof,' so as to create an additional district court in Harris county, to be known as the Fifty-ninth Judicial District, and to provide for the organization thereof, and to regulate the conduct and disposition of business therein, and to provide for filling a vacancy in the office of clerk of said courts."

Referred to Committee on Judicial Districts.

#### SENATE BILL NO. 15 SIGNED.

The Chair (President Pro Tem. Davidson of DeWitt) gave notice of signing and did sign, in the presence of the Senate, after its caption had been read:

Senate bill No. 15, "An Act changing the time for holding district court in the Thirty-first Judicial District."

#### PETITIONS.

Senator Wilson offered the following petition:

*To the Twenty-eighth Legislature of the State of Texas:*

We, the Daughters of the Republic of Texas, an organization composed of the widows and descendants of those connected with the Republic of Texas in a military or civil way, having heretofore interested ourselves in certain appropriations for the statues of General Sam

Houston and Stephen F. Austin, which have been placed in our State capitol, and an appropriation of \$5,000 has been made for the placing of the statue of General Houston in the Hall of Statuary, at Washington, D. C., now appeal to your honorable body to make the appropriation of \$3,000, to make up the deficit for the statue of Stephen F. Austin, which is to be placed, along with that of Houston, in the National capitol.

In asking this appropriation we desire to state that the sculptress, Elizabeth Ney, has contributed the sum of \$500 towards this statue, leaving its cost at \$4,500, of which sum Mrs. Joseph B. Dibrell, Chairman of the Austin and Houston Statue Committee, Daughters of the Republic of Texas, has by private subscription from various citizens of Texas, the public schools and various women's clubs throughout the State, collected the sum of \$1,500, and for the purpose of having the statue placed in the National capitol at the same time that of General Houston is placed there, which will be next December, this organization most earnestly appeals to the patriotism of this Legislature to make up this deficit by an appropriation of \$3,000, and let it be said that Texas has, at last, done honor to those who made such great sacrifices for the young Republic. Governor Sayers has, in his last message to the Legislature, recommended this appropriation, and we feel sure this recommendation meets the approval of his distinguished and patriotic successor, Governor Lanham.

Respectfully submitted,

MRS. ANSON JONES,  
President.

MRS. MARY J. BRISCOE,  
First Vice-President.

MRS. REBECCA J. FISHER,  
Second Vice-President.

MRS. CORNELIA B. STONE,  
Third Vice-President.

MRS. KATE S. TERRELL,  
Fourth Vice-President.

MRS. WALTER GRESHAM,  
Fifth Vice-President.

MRS. ADELE B. LOOSCAN,  
Historian.

MRS. CHARLES H. MILBY,  
Secretary.

MRS. NELLIE S. COX,  
Assistant Secretary.

MISS BELLE FENN,  
Treasurer.

MRS. MARIE B. URWITZ,  
Chairman:

MRS. CORNELIA B. STONE,

MRS. CHARLES H. MILBY,

MRS. WALTER GRAHAM,

MISS ADINA DE ZAVALA,

MISS BETTIE BALLINGER,  
MRS. JOSEPH B. DIBRELL,  
MRS. W. E. KENDALL,  
Executive Committee.  
MRS. JOSEPH B. DIBRELL,  
Chairman Austin and Houston Statue  
Committee.

By Senator Beaty:

Beaumont, Texas, February 7, 1903.

Hon. J. T. Beaty, Austin, Texas.

DEAR SIR: At a called meeting of our Board of Directors this afternoon the following resolutions were passed:

Whereas, It has come to the knowledge of the Beaumont Chamber of Commerce that there is pending a bill in the House of Representatives (Senate bill No. 26) providing for the cancellation of permit to do business in the State of Texas of any foreign corporation bringing suit in the United States courts on the grounds of diversity of citizenship; and

Whereas, There is absolutely nothing to be gained by any action of our people by the passage of such a measure; and

Whereas, It is manifestly a denial of constitutional rights which should be guaranteed every citizen; and

Whereas, Its passage would give this State a reputation as being prejudiced and antagonistic to the investment of legitimate capital in Texas; therefore, be it

Resolved, That this association condemns the bill as being unjust and inequitable and contrary to the best interests of the State, and urges our representatives to use every endeavor to defeat its passage through the House.

Attaching hereto a list of the charter members of this association, we beg to remain,

Very truly yours,  
SAM PARK,  
President.

C. T. BUNCH,  
Assistant Secretary.

CHARTER MEMBERS OF THE BEAUMONT  
CHAMBER OF COMMERCE.

W. C. AVERILL,  
GEO. ADAMS,  
GEO. ADAMS, JR.,  
W. H. ALDRIDGE,  
FRANK ALVEY,  
JOHN HACKETT ADAMS  
C. R. BONE,  
J. H. BRIGHT,  
THOMAS BROWN,  
C. D. BROWNE,  
M. L. BIXLER,  
BROUSSARD RICE MILLING CO.,  
I. R. BORDAGES,  
F. W. BADGER,  
BEAUMONT SASH & DOOR CO.,

R. L. BRADY,  
 C. M. BURNETTE,  
 W. E. BRICE,  
 BOKENFOR & MONAHAN,  
 BULLOCK & WELLBORN,  
 FRANK BLAIR, JR.,  
 A. A. BAILEY,  
 JOHN BECKMAN,  
 W. H. BELT,  
 R. L. BLAFFER,  
 LON BERNARD,  
 C. T. BUNCH,  
 D. CALL,  
 W. J. CRAWFORD,  
 W. W. CARROLL,  
 G. W. CARROLL,  
 A. M. CARROLL,  
 CASWELL-PRESTON DRUG Co.,  
 W. W. CUNNINGHAM,  
 CURRY, ROBERTS & GORLEY,  
 SOL COHN,  
 W. M. CROOK,  
 GEO. W. COLLIER,  
 A. D. CHILDRESS,  
 W. T. CAMPBELL,  
 J. E. CRUSEL,  
 J. L. CUNNINGHAM,  
 B. F. CALHOUN,  
 B. DEUTSER,  
 P. A. DOWLEN,  
 HOLMES DUKE,  
 W. S. DAVIDSON,  
 G. C. DEYOUNG,  
 E. A. DICKINSON,  
 J. R. DILLON,  
 W. B. DUNLAP,  
 H. L. EAGIN,  
 FOREST LUMBER Co.,  
 FRENCH MARKET GRO. Co.,  
 S. FIENBERG,  
 H. B. FORD,  
 J. B. GOODIUE,  
 JOHN N. GILBERT,  
 J. S. GORDON,  
 J. T. GOSSETT,  
 W. B. GREEVES,  
 O. B. GREEVES,  
 HEISIG & SMELKER,  
 C. A. HAGAMAN,  
 HARRY BROS. MFG. Co.,  
 ED. PRATHER,  
 R. M. HALLOWELL,  
 H. HIRSCH,  
 HEISIG & NORVELL,  
 M. HECHT,  
 D. H. HARDY,  
 WOLFE HECHT,  
 HEILBRON & Co.,  
 HODGES DRY GOODS Co.,  
 JOHN W. HENDERSON,  
 HINZ RICE MILL Co.,  
 C. S. HAGGERTY,  
 HERRINKING & CULBERT,  
 GEO. A. HILL,  
 B. IRBY,  
 INEEDA LAUNDRY,  
 A. JOSEY,

J. F. KEITH,  
 W. F. KEITH,  
 G. W. KIDD,  
 KEITH SHOF Co.,  
 J. L. KNOEFFLER,  
 J. H. KIMBALL,  
 BENJ. KIMBALL,  
 W. J. KOELTER,  
 ED. KENNEDY,  
 AUGUST KELLAR,  
 BEN H. KIMBROUGH,  
 W. W. KYLE,  
 T. C. KING,  
 S. J. KING,  
 KEITH LUMBER Co.,  
 D. O. LIVELY,  
 S. LEDERER,  
 P. M. LEA,  
 J. F. LANIER,  
 PAUL O. LAUVE,  
 F. A. LEVY,  
 LEON R. LEVY,  
 HORACE H. LANEY,  
 M. W. LOWRY,  
 JOE MUTH,  
 GEO. O. B. MILLARD,  
 GEO. J. McMANUS,  
 R. M. MOTHNER,  
 MOLETTE & WILKERSON,  
 J. C. MOW,  
 E. J. MARSHALL,  
 A. M. MUELLER,  
 J. A. MILLER,  
 HENRY MILLER,  
 MILLER & DUNCAN,  
 LOUIS MAYER,  
 JOHN F. MURRAY,  
 W. P. H. MCFADDIN,  
 M. H. MCLAURIN,  
 JOHN W. MACKEY,  
 DR. FRANK MORRICAL,  
 JOHN MCCLELLAN & Co.,  
 B. R. NORVELL,  
 J. J. NATHAN,  
 R. D. ORR,  
 P. G. OMOHUNDRO,  
 SAM PARK,  
 I. D. POLK,  
 L. B. PIPKIN,  
 O. W. PUTNAM,  
 PIPKIN & BRULIN,  
 W. H. PENMAN,  
 PEDEN IRON & STEEL WORKS,  
 MILES O. PERKINS,  
 W. H. POPE,  
 PENNOCK & RUTLIN,  
 T. S. REED,  
 ROOS BROS.,  
 DR. W. C. RAY,  
 G. H. REED,  
 H. S. REAVIS,  
 T. W. SHEPHERD,  
 SOLINSKY BROS.,  
 E. SZAFIR,  
 J. B. SIMMONS,  
 R. R. SULLIVAN,  
 SIMMONS HARDWARE Co.,

RANDOLPH SILVERMAN,  
LEWIS H. SCURLOCK & Co.,  
DAVID S. SPEER,  
LEON SONFIELD,  
BEN SASS,  
T. E. THARP,  
TOM SAXE,  
H. T. STATTI,  
W. C. TYRRELL,  
E. H. TINCH,  
F. W. TREADAWAY,  
S. H. VAN WORMER,  
A. L. WILLIAMS,  
MIKE WELKER,  
V. WIESS,  
W. A. WARD,  
E. L. WILSON HARDWARE Co.  
JOHN WALTHALL,  
NAT WETZEL,  
WILLIAM WEBER,  
R. L. WAITE,  
J. S. WHELESS,  
D. P. WHEAT,  
C. L. WALLIS.

Senator Decker offered a petition of citizens of Baylor county, requesting regulation of fire insurance rates.

It was read and referred to Committee on Insurance, Statistics and History.

Senator Decker offered the following petition:

Big Springs, Tex., Feb. 2, 1903.

We, the undersigned citizens of Howard county, Texas, realizing the disaster that will be caused by the enactment into law of some of the provisions of the quarantine bill introduced in the House of Representatives by Hon. W. J. Bryan, of Taylor county, most respectfully protest against the passage of said bill, for the following reasons:

First. It will cause the United States government and other States to absolutely prohibit the moving of Texas cattle to northern pastures, and will only allow them moved for immediate slaughter. Clean cattle can now be moved at certain seasons north of the present line and after that can be sent to northern pastures at most opportune times. But should the entire State be placed below the line, this state of affairs will be one away with; all cattle both above and below the line will be reduced in price, and it will require years to undo the evil.

Second. That provision of the proposed law which allows an open season as been tried in the past, and was done away with when actual experience had demonstrated that it was unwise. We now of instance after instance when an open season was allowed that untold disaster was caused to cattle above the

present line that could be traced to no other cause. And such disasters have not occurred since the establishment of the present provisions.

Third. We especially condemn those provisions of the proposed law wherein provision is made that when a herd is once inspected and a certificate issued, that they shall not again be stopped, and imposing heavy penalties for violation of said provisions, and we ask those advocating said provision why, if cattle after having a certificate of health, should be discovered to be again infected and capable of communicating disease to other cattle, they should be allowed to go on indefinitely to bring perhaps ruin to all in their way? We ask, is it possible that men will allow such cattle to pass through their pastures? And is there not danger that such provisions would only encourage lawlessness?

We have no objection to clean cattle being moved at any time of the year, but strong provisions should be made to insure that there is no danger of them bringing disaster to others. We know that some provisions of the present law work hardships on interests below the line. But all provisions of laws protecting the health of the citizen or stock necessarily work some hardships. Because such hardships are worked, we do not think disaster should be brought to the interests above the line, as now established. If, as a result of the enactment of the proposed bill into law, the United States government should place the entire State below the line, those below the line as now established would receive no benefit, and untold disaster would be worked on those above the line. We ask for simple justice to many people and large interests of our great State.

T. W. TURRH,  
A. L. ECHOLS,  
B. JONES,  
H. M. HILL,  
J. B. CAUBLE,  
A. G. HALL,  
S. I. CAUBLE,  
J. H. HURT,  
A. C. WALKER,  
J. T. WARD,  
W. V. ERVIN,  
J. & W. FISHER,  
A. G. PATTY,  
W. A. PATTY,  
WM. DARLING,  
R. P. PATTY,  
C. J. RAINKER,  
F. W. KORN,  
J. P. PASTER,  
J. W. ALLEN,  
W. E. MOODY,  
J. T. JOHNSON,

B. REAGAN,  
 S. H. MORRISON,  
 W. H. BUNNARD,  
 R. L. CRANE,  
 L. T. DEATS,  
 R. H. KEMP,  
 W. B. MCWHORTER,  
 L. COFFEE,  
 W. D. COFFEE,  
 J. D. BIRDWELL,  
 R. D. MATTHEWS,  
 C. D. READ,  
 JOE BARNETT, JR.,  
 A. A. AUPIPON,  
 T. M. LIGHTFOOT,  
 A. L. WASSON,  
 R. H. BEADLE,  
 J. G. CARTER,  
 JOHN ROBERTS,  
 C. E. BELL,  
 J. S. MCKINNEY,  
 J. S. RICE,  
 J. L. ATWOOD,  
 E. P. WOODARD,  
 G. R. EVERETT,  
 JESSE EVANS,  
 E. DOUTHERT,  
 A. B. JONES,  
 T. H. PARK,  
 MITCHELL & PARK,  
 C. A. FITZGERALD,  
 W. S. DRURY,  
 A. T. SNODDY,  
 W. G. BIRDWELL,  
 D. W. ADAMS,  
 A. A. ALLEN,  
 WALTER STEPHENS,  
 W. A. SULLIVAN,  
 J. E. MILLHALLAS,  
 J. T. QUINN,  
 P. S. MORGAN,  
 R. R. WAKEFIELD,  
 C. L. ALDERMAN,  
 S. W. MOON,  
 G. C. CAUBLE,  
 J. N. CAUBLE,  
 L. S. MCDOWELL,  
 E. C. RICE,  
 J. I. MCDOWAL,  
 J. C. SMITH,  
 S. E. ENNERY,  
 C. B. GILLEAN,  
 J. D. WILLIAMS,  
 C. D. RICE,  
 S. A. HATHRACK,  
 H. O. PERKINS,  
 G. A. GRIFFIN,  
 THEO. JONES,  
 W. F. BACKSEY,  
 A. D. ALDERMAN,  
 GEO. HARRIS,  
 P. D. BURNS,  
 W. S. KENNON,  
 W. T. PATTERSON,  
 R. P. JACKSON,  
 GIB JACKSON,  
 J. M. MUNDY,

D. E. BRYANT,  
 G. L. BROWN,  
 E. B. GILLEAN,  
 HARVEY JONES,  
 I. H. BRYNART,  
 D. W. CHRISTIAN,  
 JAS. A. GARROTT,  
 J. E. MCCARTY,  
 J. I. PRICHARD,  
 W. WEIR.  
 ED. W. SMITH,  
 County Attorney,  
 W. C. BARNETT,  
 County Treasurer.  
 J. A. BAGGETT,  
 Sheriff, Howard County,  
 J. M. BATES,  
 Assessor,  
 G. H. SPARENBURG,  
 Postmaster.

#### BILLS AND RESOLUTIONS.

By Senator Grinnan:

Senate bill No. 163, A bill to be entitled "An Act to amend Chapter 55 of the General Laws of the Twenty-fifth Legislature, entitled "An Act to prohibit in certain cases the gathering of pecan nuts and the cutting, injuring or destroying of pecan trees, and prescribing a penalty therefor."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Morris:

Senate bill No. 164, A bill to be entitled "An Act to restore and confer upon the county court of Polk county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Statutes of the State of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to such change; to fix the time of holding court; and to repeal all laws and parts of laws in conflict with this act.

Read first time, and referred to Judiciary Committee No. 1.

By Senator Decker:

Senate bill No. 165, A bill to be entitled "An Act to provide for the organization of the militia and the Texas National Guard; to prescribe the duties of the Governor, as Commander in Chief, and of other officers, and of the enlisted men thereof; to prescribe rules and regulations for the government thereof, and for calling the same into actual service when necessary, and to provide for the payment thereof, and to authorize the Governor to prescribe and publish further rules and regulations, to define offenses by officers and enlisted men; to prescribe penalties for such offenses and for violations of such rules and regulations."

and to provide for the trial and punishment of such offenders, and to repeal all laws in conflict therewith."

Read first time, and referred to Committee on Military Affairs.

By Senator Decker:

Senate bill No. 166, A bill to be entitled "An Act making it a misdemeanor to injure or destroy military arms, clothing, equipments or other military property, or to sell or to dispose of the same, or to use or wear any uniform or other military property belonging to the State or to the United States and issued by the State, except in performance of military duties, and to provide penalties therefor."

Read first time, and referred to Committee on Military Affairs.

By Senator Grinnan:

Senate bill No. 167, A bill to be entitled "An Act to amend Articles 1131 and 1132, Chapter 4, Title XV, of the Code of Criminal Procedure of the State of Texas."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Harper:

Senate bill No. 168, A bill to be entitled "An Act to carry into effect Section 32, of Article 16, of the Constitution of the State of Texas, in relation to vital statistics; to enlarge the scope and powers of the existing health system of the State for the better protection of the public health; to change the name of the Quarantine Department to the Department of Public Health and Vital Statistics, and to create and establish a State Bureau of Vital Statistics within said department; to authorize the State health officer to prepare, promulgate and enforce, under suitable penalties for violation of its provisions, a sanitary code for the State of Texas, and regulating for the record and preservation of its vital statistics and to repeal all laws and parts of laws in conflict with this act."

Read first time, and referred to Committee on Public Health.

By Senator Davidson:

Senate bill No. 169, A bill to be entitled "An Act to amend paragraph 6, of Chapter 4, Section 1, of an act of the Twenty-seventh Legislature of Texas, approved January 22, 1901, entitled 'An Act to regulate the terms and fix the times for holding the district court in the Twenty-third Judicial District of Texas, and to regulate and validate the returns of all writs and processes heretofore and hereafter issued from the district courts of said judicial district, and to repeal all laws and parts of laws in conflict with this act, and declaring an emer-

gency, so as to increase the time for the terms of the district court of Matagorda county, Texas."

Read first time, and referred to Committee on Judicial Districts.

By Senator Hicks:

Senate bill No. 170, A bill to be entitled "An Act to authorize the First Office Assistant of the Attorney General to discharge the duties that are devolved by law upon the Attorney General in the absence or inability to act of the Attorney General."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Hicks:

Senate bill No. 171, A bill to be entitled "An Act to prohibit any corporation or receiver operating a line of electric street railway in the State of Texas from operating electric cars upon such lines during the months of November, December, January, February and March of each year unless the forward end of such car is equipped with a screen or vestibule to protect the motorman or other person directing the motive power by which such car is operated from wind and storm, and prescribing a penalty for the violation of this act."

Read first time, and referred to Committee on Internal Improvements.

By Senator Faulk:

Senate bill No. 172, A bill to be entitled "An Act changing and fixing the times of holding the courts in the Third Judicial District of Texas, and providing for a longer term in Henderson county."

Read first time, and referred to Committee on Judicial Districts.

By Senator Mills:

Senate bill No. 173, A bill to be entitled "An Act to fix the venue and regulate service of citation upon non-residents of the State of Texas."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Harbison:

Senate bill No. 174, A bill to be entitled "An Act to amend Article 649, Chapter 2, Title XXI, of the Revised Civil Statutes, relating to the creating of private corporations and authorizing them to incorporate for more than one purpose."

Read first time, and referred to Judiciary Committee No. 1.

By Senators Davidson of DeWitt and Hicks:

Senate bill No. 175, A bill to be entitled "An Act to amend Sections 4, 5, 6, 8 and 13 of Chapter 12, of the laws of the Twenty-seventh Legislature, which became effective on the 9th day of July, 1901."

Read first time, and referred to Committee on Public Health.

By Senator Mills:

Senate bill No. 176, A bill to be entitled "An Act to prohibit the buying and selling of pools or receiving or making bets on horse racing, except on the day and within two hundred feet of the race track or grounds where the speed of such animals are to be tested; to prohibit leasing of premises for pool rooms, and to provide a penalty for its violation."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Davidson of Galveston:

Senate bill No. 177, A bill to be entitled "An Act for the protection of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traue in human bodies and to legalize dissections and experiments by unauthorized persons."

Read first time, and referred to Committee on Public Health.

Morning call concluded.

#### PENDING BUSINESS—HOUSE BILL. NO. 2 SUSPENDED.

The Chair laid before the Senate, on its second reading,

House bill No. 2, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Zapata county, and to declare an emergency."

On motion of Senator Faulk, pending business (House bill No. 2) was suspended, and the Senate took up out of its order, Senate bill No. 6.

The Chair laid before the Senate, on its second reading,

Senate bill No. 6, A bill to be entitled "An Act to create a more efficient road law for Henderson county, creating the office of county road superintendent, prescribing his qualifications and duties; providing for working county and State convicts and delinquent poll tax payers on public roads; rewards and penalties for escaped convicts; for the appointment and duties of road overseers, and fixing amount of their pay, and prescribing penalties against road overseers, hands and road superintendent, and prescribing the duties of the county attorney, grand jury and district judge in seeing its provisions enforced; fixing width of public roads, and providing how they shall be worked, graded, etc.; for the building of bridges, culverts, etc., by the lowest responsible bidder, the plan for which is furnished by the county superintendent; for the hiring of

teams, tools and wagons by the county superintendent and overseers, and relieving of hands by paying four dollars per annum; and for opening up two first class roads running east and west and north and south through the county seat; and for the appropriating of the taxes collected in each commissioners precinct; fixing the ages of persons liable to work on roads; providing for the levy of road and bridge tax, and issuance of bonds for road and bridge purposes; and fixing the bonds of the county superintendent and road overseers, and penalties to be recovered in case of a breach thereof; and providing that, in cases where there is a conflict in this and the general laws of the State, this supercedes the general law, and where there is no conflict the general law still remains in force."

The bill was read second time, and ordered engrossed.

On account of the failure to adopt, the committee amendment to the bill,

Senator Faulk moved to reconsider the vote by which the bill was ordered engrossed.

The motion to reconsider prevailed.

Senator Faulk moved that the following committee amendments be adopted:

"Amend by adding after the word 'qualified,' in the second line, on page 2, the following: 'The commissioners court shall appoint a county road superintendent, after the passage of this law, who shall hold the office until the next general election.'"

"Amend by adding after the word 'bridges,' on page 3, line 12, the following: 'Upon the requisition of the county road superintendent.'"

"Amend by striking out the word 'the' in line 14, page 3, and substitute therefor the word 'such,' and add after the word 'courts' in line 15, page 3, the following: 'As hereinafter provided.'"

"Amend by striking out the words 'one hundred dollars,' in line 5, page 5, and insert in lieu thereof the words 'ten dollars.'"

"Amend by striking out the words 'hand so failing to work,' in lines 30 and 31, page 7, and insert in lieu thereof the words 'each failure to make such complaint.'"

"Amend by striking out the words 'as is provided in this section,' in line 10, page 8, and insert in lieu thereof the words 'upon conviction by fine of not less than five dollars nor more than ten dollars in each case.'"

"Amend by striking out the words 'two hundred dollars,' in line 2, page 10, and insert in lieu thereof the words 'twenty-five dollars.' And also by adding the words 'or to procure materials

to build any road,' after the word 'thereof' in line 4, page 10."

"Amend by striking out all of the words in Section 2, page 11, after the word 'meeting,' line 7, to and including the word 'straighter,' in line 8."

"Amend by striking out the words 'he may,' in line 5, page 14, between the words 'both' and 'be,' and insert therein the word 'to' in lieu thereof."

"Amend Section 32 by adding thereto the words 'provided no such bond shall be sold at less than its par value.'"

"Section 31a. All taxes collected for road and bridge purposes, under any law now in force, shall be placed, by the county treasurer, to the credit of the road and bridge fund, and it shall be used only for the purposes provided for in this act, and the commissioners court shall not have the power to use or appropriate same for any other purpose, and any person or persons violating the provisions of this section shall be prosecuted for a misdemeanor, and, upon conviction, fined in any sum not less than twenty-five dollars nor more than one hundred dollars."

"Amend by adding Section 24. 'Owing to the fact that there is no sufficient road law in Henderson county, an emergency and an imperative public necessity is thereby created, that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in full force from and after its passage, and it is so enacted.'"

The motion to adopt the committee amendments prevailed.

Bill was read second time, and ordered engrossed.

On motion of Senator Faulk, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Beaty.	Harper.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Patteson.
Faubion.	Savage.
Faulk.	Stafford.
Grinnan.	Willacy.
Hale.	Wilson.
Harbison.	

Absent.

Faust.	Sebastian.
Morris.	

Absent—Excused.

Douglass.	Paulus.
Hanger.	Perkins.
Henderson.	

The bill was read third time, and passed by the following vote:

Yeas—24.

Beaty.	Harbison.
Brachfield.	Harper.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Patteson.
Faulk.	Savage.
Faust.	Stafford.
Grinnan.	Willacy.
Hale.	Wilson.

Absent.

Morris.	Sebastian.
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Absent—Excused.

Douglass.	Paulus.
Hanger.	Perkins.
Henderson.	

Sentaor Faulk moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE CONCURRENT RESOLUTION  
NO. 5.

Senator Hale moved to reconsider the vote by which House Concurrent Resolution No. 5 (see Journal of February 5th) was lost.

POINT OF ORDER.

Senator Savage made the point of order, and referred the Chair to Senate Rule 51, page 11, of the Legislative Manual, which is, in part:

"After a question shall have been decided, either in the affirmative or negative, any member voting with the prevailing side may, on the same day in which the vote was taken, or within the next succeeding day of actual session, move the reconsideration thereof."

Senator Hale withdrew his motion to reconsider.

Senator Hale then moved to rescind the action of the Senate by which House Concurrent Resolution No. 5 was lost on February 5th, inst.

ADDRESS OF SENATOR LIPSCOMB,  
FAVORING PASSAGE OF HOUSE  
CONCURRENT RESOLUTION NO. 5,  
PROVIDING FOR A COMMITTEE  
TO VISIT SAN JACINTO BATTLE  
GROUND.

*Mr. President and Gentlemen of the Senate:*

When this resolution was voted on the other day, I felt so confident that it would pass, that I did not utter a word in support of the measure; I am proud the gentleman has moved to reconsider the vote that defeated the resolution. While I have supported a measure before looking to the improvement of this historic battle ground, that passed the Senate and was defeated in the House during last session, I do not claim because I am a native Texan, and that some of my relatives shed their blood at Goliad and the Alamo and fought at San Jacinto, to have any more patriotism in my bosom than some of you have, but I do think that this matter has long been neglected. Generation after generation has come and gone since this battle was fought, and the liberty of the Lone Star State that we prize so much was achieved. No victory in the annals of ancient or modern time has been more far-reaching in its effect than this great battle brought about; the great State today, that we have, and I might say, we are so proud of, embracing the vast territory that it does, bounded on the west by the historic Rio Grande, and on the east by the turbid waters of the Red River, composing a population in point of wealth and intelligence second to none in the world, and to think that this great fabric of government and civilization was the work laid by our pioneer fathers in that great struggle for liberty. Shall it be said that we are ungrateful to their memory? No, gentlemen, let not another session of this body pass without taking some action to designate the place and enclose the battle field, where the tyrant and self-styled Napoleon of the West was overthrown and Mexican despotism was forever wiped from our land. I am proud, gentlemen, that we have the pleasure today of standing under the shadow of the picture of that battle that represents so much for Texas. It is just such painting and works of art that we need, as living examples to teach the history of the valorous deeds and achievements won by our forefathers in the cause of liberty and independence. Some of you may think we have too much sentiment in this cause, but take that from us and you take from us every incentive that actuates man to what is noble and exalted in life. As far as I can learn,

every State within the Union has done something towards perpetuating the history and memory of our great battles.

We see only a few days ago, where Northern men are suggesting that an equestrian statue of Robert E. Lee be erected on the battle field of Gettysburg, along with Hancock and other great generals of the Union army, to stand as an example to teach to the world the true history of the great men of the South, as well as the North. Shall Texans be amiss in this great work? You only have to enter the city of New Orleans before you are confronted with a beautiful park, dedicated to the battle of New Orleans, where the well-disciplined troops that had fought under Wellington were repulsed and routed by the raw recruits under Jackson. What do you see there? You see the statue of General Jackson, mounted upon his charger, with sword drawn. Inscribed upon that monument you see the day and year that victory was won, teaching to the great throng of people that come and go the history of that great battle. What that battle was to New Orleans, San Jacinto was tenfold to Texas. The spirit that imbued our forefathers with love of country in that struggle descended to their children; upon every battle field where Texans have taken a part, they have become noted for their bravery, and was said by General Lee, at the battle of Chancellorsville, where the Texas troops displayed such courage, that if he had an army of twenty thousand Texans that he would not be afraid to fight the world. With a State like ours, that has produced some of the greatest soldiers and patriots of any age, can we refuse to transmit to posterity some memorial, showing our appreciation of their deeds. The Old World has not only made famous in history and song the deeds of her great warriors and statesmen, but in every city you see monuments erected to their memory.

I had the pleasure in 1889 of visiting Europe and beholding with my own eyes some of the great trophies and triumphal arches erected to perpetuate the memory of their conquerors. I never will forget the impression made upon me by my visit to the battle field of Waterloo. There upon that beautiful field stands a monument erected by the English, over three hundred feet in height, surmounted by the British lion. As I stood at the foot of that monument I thought of the man that had fallen, and the victories he had won, and the power he had exerted over his men. I scaled its height and stood there with my guide who pointed out to me the position of the great contending armies and the monuments desig-

nating the spot where Wellington, on the one part, and Napoleon and his staff stood, directing the great conflict of the world; and also the spot where the Imperial Guard of Napoleon made their last great charge when the battle was on the wane, where horse and rider went down on each other, in the deep ditch that had been dug to receive them, never to rise any more.

This was battle between well-disciplined troops, where the allied powers had come together to contend with the army of France, commanded by the greatest military genius of the age, for the mastery of Europe. San Jacinto was a battle in which the weak and the strong contended for the supremacy of a new country. Santa Anna, flushed with the victory of many battle fields, and just from the massacre of the Alamo, with the sabers of his soldiers smeared with the blood of men whose souls had been fired with the spirit of liberty, who came to help fight the battle of the oppressed, who left homes of affluence and wealth, surrounded by all the pleasures of life, bid adieu to the tender mother, the loving wife, and the prattling babe, to help plant the standard of Christian civilization in a new country. Their deeds have been too well recorded for me to try to retrace them; they died like that noble band of Spartans for freedom's sake, rather than see the hordes of Mexican despotism and tyranny planted upon American soil. The spot where they fought and fell should ever be held sacred. Let no animosity or envy enter the heart of any Texan to try to rob the Alamo City of her precious relic, because it is not the property of San Antonio alone; it is the property of Texas. When I say Texas, I mean no north, no south, no east, no west; but the great State alone. When the news went forth that the Alamo had fallen, and every one of the garrison had shed their life blood rather than surrender to the despot of Mexico, the new world caught up the inspiration and the attention of the nation was turned on Houston and his little army, who then were retracing their steps from the western border, pursued by the flower of the Mexican army. The retreat of the Texas army over hill and plain, until it reached the historic town of San Felipe, the home of Austin and the old capital of Texas, and down the Brazos river and across its stream to the town of Houston, accompanied by the mutterings of the soldiers and the uproars of cowardice of their leader, but he stood like a giant oak unshaken by the storm of condemnation, with the cunning of an Indian, with the strategy of Andrew Jackson, his friend and adviser,

waiting for a chance to entrap his foe. He pursued his course down Buffalo Bayou to where the San Jacinto river mingles its waters with the bayou stream and flows unimpeded to the ocean. Nature designed a beautiful battle field, rising gently to an elevation in the middle, sloping on one side to the San Jacinto river and the bayou, and on the other to the marshy lowlands. On this field was encamped the Mexican army, no doubt selected by Santa Anna for its strategic point as well as for its beautiful site, to record another victory. Houston, with his knowledge of the country and his eagle eye, soon took in the surroundings and sent his trusted soldier to cut the bridge across the bayou, the only means of escape. While the Mexican army were resting on their arms and reveling in debauchery, Houston called a counsel of war, and addressed his men and told them the time had come; he was ready to fight, and for every man that was willing to follow him to step forward. All except one came. They adopted the battle cry "Remember the Alamo! Victory or death." The men that took part in the battle have left their names on a nation's history. Their reputation has become world-wide. No man in the hour of victory showed more magnanimity of soul than Houston did to his fallen foe. As he lay upon his couch, suffering from his bleeding wound, he listened to the appeal of a tyrant that had violated the rules of civil warfare, that had asked nor given no quarter up to that day. He persuaded his men to be merciful to the vanquished. He counseled peace rather than mar the victory with a blemish, that had risen like the Star of Bethlehem over the field of battle that day. He was willing to protect him; willing to return him to his native country, and let history write the verdict of his infamy.

Tell me, gentlemen, that we should not portray on canvas and on the field made glorious by this victory some suitable recognition to commemorate the deeds of those men who fought at San Jacinto, and those who died at the Alamo, to show to the world that we had a Thermopola and a Marathan. The old veterans that fought in this battle have nearly all "passed over the river, and rest under the shade of the trees"; but their sons and daughters and some of their aged wives stand today supplicating for their rights. The good women of our country, principally through the Daughters of the Republic of Texas, are asking at our hands for something to enclose and beautify this battle ground, and give them a chance to have some of the old veterans, while they are alive, to mark the spot

and designate where the greatest battle of the world was won.

Now, gentlemen, let us one and all vote to reconsider this measure and adopt the resolution and appoint a committee as asked for to visit the battle ground of San Jacinto, and make proper recommendations asking for an appropriation to enclose and beautify the ground. When you do that you will find that the splendid women of this country, of which no other country can excel, will take the matter in hand and start a fund to erect a monument to the heroes of Texas, that will rise in grandeur on that field, facing the widespread waters of the bayou, more beautiful to behold than the Acropolis of Athens, that will bear witness to the ships of the world as they enter the port leading to the city of the South.

"God help us ever guard secure the sacred trust,  
Bequeathed by patriot sires, whate'er betide,  
That one and undivided this great State shall be  
A Texan's birthright and a nation's pride."

The motion to rescind prevailed.

#### EXTRA COPIES ORDERED.

Senator Wilson moved that 100 extra copies of the Journal containing Senator Lipscomb's address be printed. The motion prevailed.

Senator Hale moved that pending business House bill No. 8) be suspended and take up House Concurrent Resolution No. 5.

The motion prevailed.

The Chair laid before the Senate

House Concurrent Resolution No. 5, Providing for a joint committee of three members of the House and two of the Senate to visit the San Jacinto battle ground.

The resolution was passed by the following vote:

#### Yeas—18.

Beaty.	Lipscomb.
Davidson of Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Hale.	Sebastian.
Harper.	Stafford.
Hicks.	Willacy.
Hill.	Wilson.

#### Nays—8.

Brachfield.	Davidson of
Cain.	DeWitt.

Faust.	Martin.
Grinnan.	Savage.
Harbison.	Absent—Excused.

Douglass.	Paulus.
Hanger.	Perkins.
Henderson.	

#### SPECIAL ORDER FOR TUESDAY, FEBRUARY 17.

On motion of Senator Hale,

Senate bill No. 67, A bill to be entitled "An Act to amend Article 4340 of Title XCII of the Revised Civil Statutes of Texas, relating to declaring quarantine in counties and cities, and maintaining and paying the expenses of same."

Was made special order for next Tuesday, February 17.

#### COMMITTEE REPORTS.

(By unanimous consent.)

Committee Room,  
Austin, Texas, February 10, 1903.

*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 169, A bill to be entitled "An Act to amend paragraph 6, of Chapter 4, Section 1, of an act of the Legislature of Texas, approved January 22, 1901, entitled 'An Act to regulate the terms and to fix the times for holding the district court in the Twenty-third Judicial District of Texas, and to regulate and validate the returns of all writs and processes heretofore and hereafter issued from the district courts of said judicial district, and to repeal all laws and parts of laws in conflict with this act, and declaring an emergency,' so as to increase the time for the terms of the district court of Matagorda county, Texas,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass, and that this bill be not printed.

BEATY, Chairman.

#### SIMPLE RESOLUTION.

(By unanimous consent.)

Senator Decker offered the following resolution:

Whereas, The Senate by former resolution requested the Governor to return Senate bill No. 17 for correction; and

Whereas, Same has been examined and found to be sufficient without the correction; therefore be it

Resolved, That said bill be again delivered by the Committee on Enrolled Bills to the Governor for his signature and approval.

The resolution was read second time, and adopted.

PENDING BUSINESS—HOUSE BILL No. 2.

The Chair laid before the Senate, on its second reading,

House bill No. 2, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Zapata county, and to declare an emergency."

The bill was read second time, and passed to a third reading.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Beaty.	Harper.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Savage.
Faust.	Sebastian.
Grinnan.	Stafford.
Hale.	Willacy.
Harbison.	Wilson.

Absent—Excused.

Douglass.	Paulus.
Hanger.	Perkins.
Henderson.	

The bill was read third time, and passed by the following vote:

Yeas—25.

Beaty.	Hicks.
Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Davidson of	Mills.
Galveston.	Morris.
Decker.	Patteson.
Faubion.	Savage.
Faulk.	Sebastian.
Faust.	Stafford.
Hale.	Willacy.
Harbison.	Wilson.
Harper.	

Absent.

Grinnan.

Absent—Excused.

Douglass.	Paulus.
Hanger.	Perkins.
Henderson.	

PENDING BUSINESS—HOUSE BILL NO. 6, SUSPENDED.

The Chair laid before the Senate pending business, on second reading,

House bill No. 6, A bill to be entitled "An Act to authorize corporations incorporated as local suburban railways, under Title XCIV of the Revised Statutes of Texas, of which the Railroad Commission have heretofore or shall hereafter decide they have not control in reference to the issuance of stock and bonds, or either, to issue or increase their stock and bonds, or either, without complying with the provisions of Chapter 50 of the Acts of the Legislature of 1893, being Chapter 14, Title XCIV, of the Revised Statutes of Texas."

On motion of Senator Faulk, pending business (House bill No. 6) was suspended, and the Senate took up out of its order, House bill No. 118.

The Chair laid before the Senate, on its second reading,

House bill No. 118, A bill to be entitled "An Act to create a special road law for Lamar county," etc.,

With the following committee amendment:

"The heavy rainfall of the past few months has rendered the public roads of Lamar county well nigh impassable, and as there exists no remedy under existing laws, thereby creates an emergency and an imperative necessity for the suspension of the constitutional rule that requires bills to be read on three several days in each house, and that this act take effect from and after its passage, and it is so suspended and so enacted."

The committee amendment was adopted.

Bill as amended was read second time, and passed to a third reading.

On motion of Senator Faulk, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Beaty.	Faulk.
Brachfield.	Faust.
Cain.	Grinnan.
Davidson of	Hale.
DeWitt.	Harbison.
Davidson of	Harper.
Galveston.	Hicks.
Decker.	Hill.
Faubion.	Lipscomb.

Martin.	Savage.
McKamy.	Sebastian.
Mills.	Stafford.
Morris.	Willacy.
Patteson.	Wilson.

Absent—Excused.

Douglass.	Paulus.
Hanger.	Perkins.
Henderson.	

The bill was read third time, and passed by the following vote:

Yeas—26.

Beaty.	Harper.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Faubion.	Patteson.
Faulk.	Savage.
Faust.	Sebastian.
Grinnan.	Stafford.
Hale.	Willacy.
Harbison.	Wilson.

Absent—Excused.

Douglass.	Paulus.
Hanger.	Perkins.
Henderson.	

Senator Faulk moved to reconsider the vote by which the bill was passed, and lay the motion on the table.

The motion to table prevailed.

#### PENDING BUSINESS—HOUSE BILL NO. 6 SUSPENDED.

The Chair laid before the Senate on second reading,

House bill No. 6, A bill to be entitled "An Act to authorize corporations incorporated as local suburban railways, under Title XCIV of the Revised Statutes of Texas, of which the Railroad Commission have heretofore or shall hereafter decide they have not control in reference to the issuance of stock and bonds, or either, to issue or increase their stock and bonds, or either, without complying with the provisions of Chapter 50 of the Acts of the Legislature of 1893, being Chapter 14, Title XCIV, of the Revised Statutes of Texas."

On motion of Senator Wilson pending business (House bill No. 6) was suspended, and the Senate took up out of its order Senate bill No. 126.

The Chair laid before the Senate on its second reading,

Senate bill No. 126, A bill to be entitled "An Act to amend Section 13, of Chapter

107, page 182, of General Laws of the Twenty-sixth Legislature, approved May 12, 1899, which is entitled 'An Act to carry into effect the amendments of the Constitution of the State of Texas providing that aid may be granted to disabled and dependent Confederate soldiers, sailors and their widows, under certain conditions, and to make an appropriation therefor.'

With the following committee amendment:

"Amend by striking out after the figures '1904' down to and including the figures '\$250,000' and inserting in lieu thereof the following: 'And for each succeeding year there shall be appropriated the sum of \$250,000.'"

The committee amendment was adopted.

The bill as amended was read second time, and ordered engrossed.

#### SIMPLE RESOLUTION.

Senators Decker and Hicks offered the following resolution:

Whereas, Brigadier General Fred D. Grant, U. S. Army, commanding the department of Texas, accompanied by his staff and other distinguished military officers, will make an official visit to the Governor of Texas today at 3 o'clock p. m.; therefore be it

Resolved, That the Senate recess until 3:45 o'clock p. m., at which hour the Senate will again reassemble for the purpose of paying its respect to the distinguished party.

The resolution was read second time, and adopted, and

The Senate at 1 p. m. took a recess until 3:45 o'clock p. m.

#### AFTER RECESS.

At 3:45 o'clock p. m. the Senate met with President Pro Tem Davidson of DeWitt in the chair.

Accompanied by Senators Hicks and Decker Brigadier General Frederick D. Grant and his personal staff composed of Lieutenants Morey and Beck; departmental staff composed of Colonels Clem, Cleary and Varney, Captains Bootes and Caldwell and Lieutenant Cootes were announced at the bar of the Senate.

The president (Senator A. B. Davidson of DeWitt) presented the Brigadier General to the Senate, saying:

"It is my pleasure and honor to introduce to you, Senators, Brigadier General Grant, Commander of the Department of Texas."

Acknowledging the honor, Brigadier General Grant said:

"Gentlemen, I am very happy to meet

you, the Senate of Texas. When I came here I had no idea I would be called upon for a speech, and I am no speaker any way. I have nothing to say, but thanks, and regret I am not able to be worthy in a speech. I thank you one and all for giving me so delightful a reception, and shall be happy to see you in my home and thank you very much."

The Senate was at ease and Senator Hicks introduced the Brigadier General and his staff.

ADJOURNMENT.

The Senate, on motion of Senator Savage, at 4 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

NINETEENTH DAY.

Senate Chamber,  
Austin, Tex., Wednesday, Feb. 11, 1903.

Senate met pursuant to adjournment. President Pro Tem. Davidson of DeWitt in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Harper.
Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Douglass.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Grinnan.	Savage.
Hale.	Stafford.
Hanger.	Willacy.
Harbison.	
	Absent.
Faust.	Sebastian.
Perkins.	Wilson.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of last Friday,

On motion of Senator Harbison, the same was dispensed with.

EXCUSED.

On motion of Senator Savage, Senator Hanger was excused for non-attendance upon the Senate for Friday afternoon on account of sickness.

PETITIONS AND MEMORIALS.

Senator Faulk offered a memorial from the Farmers' Mutual Insurance Associa-

tion of Texas relative to a bill that has been introduced in the Senate, and it was read and referred to Committee on Insurance, Statistics and History.

Senator Decker offered a petition from citizens of Knox county against the Bryan Quarantine bill, and had it referred to Committee on Stock and Stock Raising.

Senator Henderson offered a petition relative to the Federal bankrupt law, and had it referred to Judiciary Committee No. 1.

Senator Henderson offered a memorial in regard to text books, and it was referred to Committee on Education.

Senator Henderson offered a memorial from citizens of Lamar county requesting repeal of occupation tax.

Read and referred to Committee on Finance.

Senator Decker offered a petition of one hundred and sixty citizens of Potter county against Senate bill No. 100 by Decker authorizing district and county attorneys to bring suit for school lands.

Referred to Committee on Public Lands and Land Office.

COMMITTEE REPORTS.

INTERNAL IMPROVEMENTS.

Committee Room,  
Austin, Texas, February 11, 1903.  
*Hon. Geo. D. Neal, President of the Senate.*

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 161, A bill to be entitled "An Act to authorize the Chicago, Rock Island & Gulf Railway Company to purchase, own and operate as part of its line the railroad of the Chicago, Rock Island & Texas Railway Company, together with all its franchises, property, rights and privileges; the railroad of the Chicago, Rock Island & Mexico Railway Company, together with all its franchises, property, rights and privileges, and the railroad of the Choctaw, Oklahoma & Texas Railroad Company, together with all its franchises, property, rights and privileges, or either or any of such railroads, with all of its or their franchises, property, rights and privileges of every kind and character; and to authorize the owners of each of said railroads and the franchises, property, rights and privileges of every kind and character, to sell and convey the same; and to authorize said the Chicago, Rock Island & Gulf Railway Company to issue and negotiate its bonds, secured or to be secured by a mortgage or mortgages, to the amount of the value of the railways, franchises, property, rights and privi-